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JUN 13 2000

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In re Application of
KETURI, Joonas
U.S. Application No.: 09/403,095
PCT No.: PCT/FI98/00333
Int. Filing Date: 15 April 1998
Priority Date: 16 April 1997
Attorney's Docket No.: PM 264827
For: DATA SERVICE IN A MOBILE

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DECISION
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This decision is in response to applicant's "Petition under 37 CFR 1.182" filed 12 April 2000 requesting to change the name of the inventor. The \$130.00 petition fee has been paid.

BACKGROUND

On 15 April 1998, applicant filed international application PCT/FI98/00333 claiming priority to a Finish patent application filed 16 April 1997. A copy of the international application was communicated from the International Bureau to the United States Patent and Trademark Office on 22 October 1998.

On 13 November 1998, a Demand was filed with the International Preliminary Examination Authority electing the United States. The election was made prior to the expiration of 19 months from the priority date. Accordingly, the deadline for submission of a copy of the international application and payment of the basic national fee was extended to expire thirty months from the priority date, *i.e.*, 18 October 1999 (16 October 1999 was a Saturday).

On 15 October 1999, applicant filed a transmittal letter for entry into the national stage in the United States under 35 U.S.C. 371 which was accompanied by, *inter alia*, a preliminary amendment; an English translation; and a check to pay the basic national fee.

On 13 December 1999, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 U.S.C. 371 to applicants indicating

that the oath/declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge for providing the declaration later than thirty months from the earliest claimed priority date was required. Applicants were given one-month to respond.

On 13 January 2000, applicant submitted a declaration and surcharge fee. The declaration listed the inventors as Joonas Keturi, instead of the name listed on the international publication, Joonas Tuominen.

On 09 February 2000, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916) and Notification of Defective Oath or Declaration (Form PCT/DO/EO/917) indicating that the declaration submitted on was not in compliance with 37 CFR 1.497(a) and (b). Specifically, the inventor's last name on the declaration was different than listed on the international publication.

On 12 April 2000, applicant filed the instant petition which was accompanied by an affidavit of the inventor, the required petition fee and a certified document from the Population Information Center in Finland with accompanying translation.

DISCUSSION

Section 605.04(c), *Inventor Changes Name*, of the Manual of Patent Examining Procedure lists the procedures required to change the name of an inventor and states, in part:

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. The petition should be directed to the attention of the Office of Petitions. The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

Here, applicants have submitted an affidavit signed with both names of the inventor, *i.e.* Joonas Tuominen and Joonas Keturi, setting forth the procedure whereby the change of name was effected. In addition, applicant has submitted a certified copy of the "Extract From the Population Information Center" listing the name change of the inventor and accompanying translation.

Accordingly, applicant has satisfied the requirement needed to change the name of the inventor to Joonas Keturi. The declaration submitted 13 January 2000 is now in compliance with 37 CFR 1.497(a).

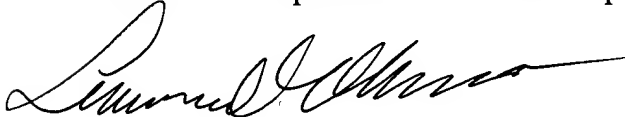
The appropriate three-month extension fee of \$870.00 has been paid partially by check and the remainder charged to Deposit Account no. 03-3975 as authorized.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is **APPROVED**.

Applicant has completed the requirements for acceptance under 35 U.S.C. § 371(c). The application has an international filing date of 15 April 1998, under 35 U.S.C. 363, and a 35 U.S.C. 102(e) and 371(c) date of **13 January 2000**.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing in accordance with this decision.



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